

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS.

The meeting was called to order by Chairperson Senator Lana Oleen at 11:00 a.m. on March 10 , 2000 in Room 245-N of the Capitol.

All members were present except: Senator Ben Vidricksen
Senator Sherman Jones

Committee staff present: Mary Galligan, Legislative Research Department
Russell Mills, Legislative Research Department
Theresa Kiernan, Revisor of Statutes
Judy Glasgow, Committee Secretary

Conferees appearing before the committee: Ron Hein, Indian Nations in Kansas

Others attending: See Attached List

Mary Galligan, Legislative Research Department, provided the committee members with a summary of the Nebraska U.S. Supreme Court Case and discussed briefly the issues of the case. (Attachment 1).

Chairman Oleen stated that minutes were before the committee for March 2, 7 and 8, 2000. Senator Vratil moved to approved the minutes, Senator Biggs seconded the motion. The motion carried.

Chairman Oleen announced that several conferees had agreed to return today to respond to any questions that members might have on Sub HB 2581.

Dena Vogler responded to questions from Senators Harrington, Bleeker, and Gooch concerning her testimony of March 9, 2000 and how the current law affects the Women's Health Care Services..

Natalie Haag, Office of the Governor, responded to questions from committee members concerning her testimony of March 9, 2000.

Senator Harrington provided information in individual folders to all committee members which included : Testimony from April, 1999 from Jared P. Pingleton, Psy.D. a proponent of Sub SB 2581. (Attachment 2). A letter from the Office of the Attorney General, State of Nebraska, dated January 19, 2000. (Attachment 3). Constitutional and statutory Provisions involved in the Nebraska case (Attachment 4). The findings from The United States Court of Appeals for the Seventh Circuit on the Illinois case (Attachment 5). The dissent by Chief Judge Posner in the Illinois and Wisconsin cases. (Attachment 6). Senator Harrington provided recent cases on Constitutional Law Abortion Sixth Circuit which are available from the Harvard Law Review Association 1999 Harvard Law Review 111 Harv. L. Rev. 731 and information on George Voinoivich, Governor of Ohio et al v. Women's Medical Professional Corporation, et.al available from 118 Cr 1347; 199 U.S. Lexis 1785:140 L.Ed. 2nd 496; 66 U.S.L.W. 3619 98 Daily Journal DAR. A copy of the article "Senate to look at suspect trade in fetal tissue" from The Wichita Eagle, Thursday, February 17, 2000 was also handed out by Senator Harrington.

Chairman Oleen stated that the committee would return to SB 607-- Interlocal agreements with Native American Indian tribes. After discussion by the committee, Senator Bleeker who had voted on the prevailing side of the motion to amend the bill at its previous work session, moved to withdraw the motion and Senator Harrington second the motion. The motion passed.

Senator Vratil moved to report SB 607 favorably to the full Senate. Senator Biggs seconded the motion. The motion carried.

CONTINUATION SHEET

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS, Room 245-N Statehouse, at 11:00 a.m. on March 10, 2000.

Chairman Oleen reopened the hearing on

SB 608- Class B clubs

Chairman Oleen indicated that opponents had testified previously on the bill, so she recognized proponents to the bill.

Ron Hein appeared as a proponent of the bill. He stated he represented the Indian Nations in Kansas, who support this bill which would allow any class B club located on the premises of an Indian gaming facility operated by a Native American Indian Tribe to provide temporary membership while the person is using the facility. (Attachment 5) Current law allows temporary permits to be issued for a person who is staying at a hotel, motel, and other specified provisions.

John Peterson, representing Harrah's, offered some proposed amendments to the bill. He and Ron Hein responded to questions from the committee. Chairman Oleen closed the hearing on **SB 608**.

Senator Vratil moved to amend the bill restricting members to nonresidents of the county where the facility is located and waiver of the fee. Senator Gooch seconded the motion. The motion carried.

After discussion by the committee Senator Biggs moved to recommend the **SB 608** unfavorably to the full Senate. Senator Vratil seconded the motion. The motion carried.

Chairman Oleen announced that there would be a regular meeting of the committee at 11:00 a.m. and a 2:00 p.m. meeting to review the draft of **Sub HB 2581** on Monday, March 13, 2000.

The meeting adjourned at 12:15 p.m. The next meeting will be March 13, 2000, at 11:00 a.m.